

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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20-CV-6539 (JMF)

ORDER


JESSE M. FURMAN, United States District Judge:

As discussed, and for the reasons stated on the record, during the telephone conference conducted before the Court on November 9, 2020:

- In connection with the submissions due **November 13, 2020**, the parties may file a list identifying any evidence to which the parties stipulate to admissibility.
- No later than **November 19, 2020**, the parties shall file a proposed agreed-upon order governing protocols for trial (e.g., how impeachment materials are to be provided). (The parties shall file it on ECF and, the same day, email a Microsoft Word version to the Court.) If the parties are unable to agree, in whole or in part, they shall include a redline identifying areas of disagreement. The parties shall include in this filing a revised estimate of the length of trial.
- No later **than November 20, 2020**, each side shall file, with respect to each direct-testimony declaration submitted by the opposing side, a chart with three columns: (1) listing any paragraph number of the declaration to which the side objects; (2) the text of the paragraph subject to objection; and (3) the basis for the objection.
- The parties should be prepared for trial to be held from 9:00 a.m. to 5:00 p.m. each day.
- The parties are reminded that Rule 615 of the Federal Rules of Evidence applies to the declarations submitted by witnesses just as it would if the witnesses provided live testimony in open court. That is, fact witnesses may not read any declaration of another witness (unless and until the Court grants leave to do otherwise otherwise consistent with the letter and spirit of Rule 615).

SO ORDERED.

Dated: November 10, 2020  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge